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BP&L REFERENCE: 12720DATE: January 14, 1998FROM: RICHARD ESTY PETERSONTO: FIRM: P.T.O.ADDRESS:FAX NUMBER: (703) 308-2864ATTENTION: JOHN MULCAHYTOTAL NUMBER OF PAGES (including cover page): 6PLEASE ACKNOWLEDGE RECEIPT OF THESE DOCUMENTS: YES X NOSUBJECT: SEE ATTACHED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Polidi, R.

Examiner: John Mulcahy

Serial No: 08/905,461

Group Art: 3302

Filed: 4 August 1997

For: **MECHANICAL WEIGHTLIFTING
MACHINE**

Atty Dkt: 12720

VIA FACSIMILEAssistant Commissioner
for Patents
Washington, D.C. 20231**PRIOR ART STATEMENT**

The following references were reviewed and considered pertinent to this application.

Sollo, Patent No. 5,346,448, issued September 13, 1994 discloses a free weightlifting system that utilizes a frame having elastic cords stretched between two frame members for varying the resistance of a barbell during lifting. In an alternate embodiment in Figs. 9A and 9B, the cord is replaced with a cable connected to supplemental weights, via a pulley assembly that is of some relevance.

Klink, Patent No. 4,974,835, issued December 4, 1990 discloses a weight training devices that does not includes free weights but a leveraged arm.

Tankski, Patent No. 4,807,875, issued February 28, 1989 discloses an exercises bench with safety apparatus and relates primarily to the use of a drive mechanism to raise and lower safety brackets that are mounted on continuous chains on each side of the bench. In essence, the peg rests for the barbell are displaceable.

Ronan, Patent No. 5,314,394, issued May 24, 1994 discloses a lifting apparatus for assisting a weightlifter that includes a support structure connected to a chain and sprocket drive including a clutch for providing variable amounts of assistance. The control mechanism and the variable nature of the assistance is of particular relevance.

Schook, Patent No. 4,566,690, issued January 28, 1986 discloses a dumbbell and barbell set that includes threadable add-on plates and is not of particular relevance.

Cummins, Patent No. 4,621,810, issued November 11, 1986 discloses a lifting apparatus that utilizes a barbell connected to a pivotal frame and is of little or no relevance.

Jensen, Patent No. 4,634,118, issued January 6, 1987 discloses an exercise frame having a complex pulley system for weight training that is not of particular relevance.

Yoris, Patent No. 4,765,613, issued August 23, 1988 discloses a progressive resistance exercise device that is in an inclined mechanical press device with gripping arms connected to a continuous chain with a break resistance mechanism for imparting resistances as programmed by the user.

Cruz, Patent No. 4,773,642, issued September 27, 1988 discloses an adjustable exercise weight supporting device that is essentially a bar holder with adjustable uprights set on an incline instead of the usual vertical orientation.

Santoro, Patent No. 4,973,050, issued November 27, 1990 discloses a pulleyless, weightlifting apparatus that utilize tube encased counter weights in a frame with safety stops.

Barrett, Patent No. 4,799,672, issued January 24, 1989 discloses a lifting frame having an internal hydraulic actuator that follows the user to control the positioning of the safety spotter arms.

Podolak, Patent No. 4,253,662, issued March 3, 1981 discloses a barbell support apparatus utilizing a cantilever arm with a drive motor, counter weight and actuator switch positioned on the bar for access by the user. The apparatus provides a mechanical spotter for assisting the user as necessary.

Pogue, Patent No. 4,955,604, issued September 11, 1990 discloses a weightlifting rack, the spotter primarily consists of additional safety pins or hooks in the barbell frame for seating the weights should the lifter loose control of the weights or become tired.

Stevens, Patent No. 4,949,959, issued August 21, 1990 employs suspended cables supporting the barbell with an elongated ball screw actuated by a chain and sprocket mechanism connect to a drive motor actuated by a kick plate. The device includes an emergency feature for automatically raising the barbell on a displacement that exceeds a trip switch location.

Kallios, Patent No. 5,310,394, issued May 10, 1994 describes a similar spotter device, but employs a variable actuator mechanism using a pneumatic piston connected to a crank arm that is connected to a takeup reel mechanism for the pair of support cables connected to the barbell.

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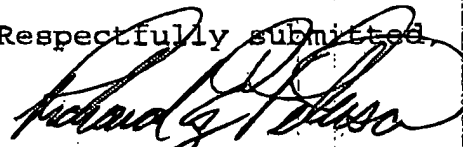
Marlo, Patent No. 4,471,956, issued September 18, 1984 utilizes a falling weight to provide assistance to raise the barbell weight in primarily an emergency situation.

Annas, et al, Patent No. 3,573,865, issued April 6, 1971 discloses a leg exercising apparatus in which a weight on a motorized screw changes position to change resistance.

Cartwright, Patent No. 4,650,185, issued March 17, 1987 discloses an exercise machine having an adjustable weight that is moveable along a pivoted screw track to change resistance.

Of the references above, the Cartwright and Annas are considered closest in general concept, but move the weight instead of the pivot point, and Kallios has similarities in structure, but uses a pneumatic piston to vary resistance.

Respectfully submitted,



RICHARD ESTY PETERSON

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REP:cls

Enclosure: form 1449

Registration No: 26,495